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WORKSHOP MEETING
MARCH 7, 2017
7:00 P.M.
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The Workshop Meeting of the Borough of Butler Mayor and Council was opened by Mayor Alviene who indicated that the meeting was being held in compliance with the Open Public Meetings Act having been duly advertised and posted in Borough Hall.

ROLL CALL

PRESENT: Mayor Alviene, Councilman Calvi, Councilman Fox, Councilman McNear, Councilman Meier, Councilman Regis and Council President Verdonik

ALSO PRESENT: J. Lampmann, Borough Administrator, R. Oostdyk, Borough Attorney and M. O’Keefe, Borough Clerk

RESOLUTION(S):

R 2017-28 Resolution Authorizing an Interlocal Services Agreement between the Borough of Butler and New Jersey Public Power Authority

Mr. Lampmann noted that the Borough will receive \$3,000.00 yearly as rental income for the office, and any time that is expended by Jim Kozimor Chief Financial Officer or the Borough of Butler will be refunded to the Borough.

Moved: Fox

Second: Regis

Voted Aye: Calvi, Fox, McNear, Meier, Regis and Verdonik

Voted Nay: None

R 2017-28 approved.

R 2017-29 Resolution Authorizing an Inter Municipal Agreement for an Executive Director for the New Jersey Public Power Authority and the Public Power Association of New Jersey and the Borough of Butler

Mr. Lampmann explained this is the agreement to hire the employee.

Moved: Fox

Second: Regis

Voted Aye: Calvi, Fox, McNear, Meier, Regis and Verdonik

Voted Nay: None

R 2017-21 approved.

Discussion – Ingress and Egress Easement over lands of Block 46001, Lot 101 for the Benefit of Block 46001, Lot 102 and Block 45403, Lot 136 in the Borough of Kinnelon

Mr. Lampmann referred to the map (copy attached) showing the property, noting the owner of Block 45403, Lot 136 has used a portion of the property owned by the Borough of Butler as a means of ingress and egress to his property for many years. The area in question is a gravel road and cannot be paved or improved, an easement will be drawn up granting access and Mr. Oostdyk will forward this to the property owners to file with the Morris County Clerk.

Discussion – Draft Rule regarding Ordinary Maintenance and Minor Work being considered by the Uniform Construction Code Advisory Board Ms. O’Keefe explained that Dan Hagberg, Construction Official was not in favor of some aspects he has concerns as far as if a house experiences a flood who would determine if any mold was remediated prior to replacing

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the sheetrock. The consensus of the Mayor and Council is to wait for additional information prior to any action. .

Discussion – Resolution in Support of Clean Water Supplies – After discussion the Mayor and Council decided that at this point in time they would not add any additional regulations to the residents of Butler. No further action to be taken on this matter.

Discussion – Resolution of Support for Sustainable Open Space, Farmland, Historic Preservation and Stewardship Funding for New Jersey – After discussion the Mayor and Council will take no further action on this issue.

Discussion – Resolution of the Borough of Madison Expressing Madison’s Commitment to Equal, Respectful and Dignified Treatment of All People regardless of Their Immigration Status and to remain a Welcoming Community – Ms. O’Keefe noted that Chief Ciro Chimento provided the Mayor and Council with his response to Matt Fagan of North Jersey.com, regarding this issue and that people are treated with respect. Councilman McNear noted that Morris County Sheriff Gannon is not in favor of adopting a resolution as we follow the Federal and State Guidelines. No further action to be taken.

Discussion – 2017 General Capital Budget Requests – Mr. Lampmann explained that the departmental requests were submitted to the various committees. The discussion ensued on the various projects, additionally; the Butler Fire Department did not request either a refurbishment or a new vehicle. The Department of Public Works request for a storage garage on Ace Road will be held over for another year. The handicapped access ramp at the Museum will not be replaced as the cost for replacement and to repay a portion of the grant back to Morris County makes it cost prohibitive for the Borough. The ramp currently in place was designed by the historic architect so as not to distract from the frontal view of the building. Regarding improvements to the Council Chambers, any changes must be in accordance with the requirements for use by the court. Regarding the 2017 Water Utility Capital Requests this budget is quite lean; some of the requests are to accommodate Bloomingdale coming on line to our Water department. 2017 Electric Utility site remediation is a large portion of the budget, samples have been taken and there is a direct correlation to the utility. Additionally, the inclusion of two vehicles one is for the line truck that will keep us on the current schedule for replacement. The Utility Truck replacement will allow the mechanic to do some repairs on scene as opposed to having the vehicle towed back. Councilman McNear asked about the new billing system, Mr. Lampmann explained that this would make the system live and allow customers to use credit cards or their cell phones. It will also report on outages by sending messages to customers thus alleviating phone calls to dispatch.

Jim Kozimor Chief Financial Officer distributed proposed budgets for discussion, he explained that the budget has been reviewed and the average increase after all areas have been explored will be \$58.81 per household. To lower the budget anymore it would require making cuts that could have long-range impact. He explained that the budget reduction is due to lower electric

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purchase costs. Mr. Kozimor asked that if anyone has questions that they should contact him he will be able to provide the answers.

Mr. Lampmann explained regarding Capital improvements those that are being funded out of the capital improvement plan the ordinances will be introduced at the March 21, 2017 meeting, as they need to be done quickly. .

Mayor Alviene commented that the roads that were repaved recently are not lasting anywhere near the fifteen years that roads used to last. Councilman Fox noted that in speaking with one of the foremen at Tilcon approximately six years ago, the bonding agent was changed and this seems to be what is breaking down, he also thinks that perhaps the gravel can be made finer. Mr. Lampmann explained that the various parts that are required for repaving are expensive, which limits the roads that can be done in any given year.

OPEN PUBLIC DISCUSSION

Mayor Alviene opened the meeting to the public at this time.

Bob Norman, 31 Cascade Way explained a plan that was put forth in the 1990's how roads in the United States would be paved as they are in Europe where the road is guaranteed for ten years, if something goes wrong, the contractor must repair it during that period. He brought pictures with him of a home that needs property maintenance, as the yard is a mess; he stated that the property has been this way for five years. Mr. Lampmann believes that the property owner may be in court already with our zoning officer.

Seeing no one else come forward to speak a motion was made to close the public portion of the meeting.

Moved: Fox
All in favor.

Second: McNear

Councilman McNear wanted to bring two items to the attention of the Mayor and Council

At the Board of Health meeting, there was discussion of passing an ordinance limiting the sale of tobacco and or vaping products to those 21 and over, the current age is 19. Mayor Alviene noted that he received a letter from a statewide association that represents gas station owners and convenience store owners regarding this issue, the association wanted to let the Mayor know that this legislation will impact the gas station and convenience store business as individuals will take their business to a municipality that does not have this restriction. Mr. Lampmann asked who would enforce this restriction, and how would it be funded, Councilman McNear noted that the funding would come from enforcement and the penalties associated with this restriction. If no violations occur then there would be no need for funding of this legislation. Councilman Fox suggested that any questions should be forwarded to Councilman McNear for him to bring them to the Board of Health for clarification.

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Councilman McNear questioned a course that the Borough's Information Technology Specialist is taking on cyber security from the University of North Carolina, School of Government. Council President Verdonik clarified the course is on cyber security he noted that a neighboring municipality recently had their computers down for approximately nine days and needed to have a specialist come in at an additional expense to repair and reproduce their system. Councilman Calvi had questions regarding the need for this course and the cost to the municipality. Mr. Lampmann explained that there is a real need for this course as new computer security issues arise every day and the Borough needs to be prepared. Additionally, Mr. Lampmann asked that if anyone has any questions regarding training to contact him directly.

Motion to adjourn
Moved: Regis
All in favor.

Second: Meier

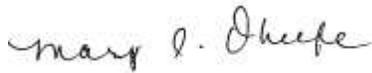
ADJOURNMENT: 8:07 p.m.

Adopted: March 21, 2017



Robert W. Alviene, Mayor

Attest:



Mary A. O'Keefe, RMC
Municipal Clerk

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**RESOLUTION NO. 2017-29
BOROUGH OF BUTLER**

WHEREAS, the New Jersey Public Power Authority(Authority) and the Public Power Association of New Jersey (PPANJ wish to employ a full-time Executive Director upon terms and conditions separately stated in an inter municipal agreement (IMA) between the candidate and the Borough dated February 2017; and

WHEREAS, to facilitate the employment of the Executive Director, they shall be a "nominal employee" of the Borough whose employment is conditioned upon continued service as the Executive Director of both the Authority and the PPANJ and under the conditions of the IMA.

WHEREAS, the parties wish to memorialize herein the terms and conditions of said agreement.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the Interlocal service agreement between the Borough of Butler and the Executive Director for their services subject to the terms and conditions of the agreement on file in the office of the Borough Clerk.

Adopted: March 7, 2017


Robert W. Alviene, Mayor

ATTEST:


Mary A. O'Keefe
Borough Clerk

Dated: March 7, 2017

**RESOLUTION NO. 2017-28
BOROUGH OF BUTLER**

WHEREAS, Butler is a member of the New Jersey Public Power Authority, a Municipal Shared Services Energy Authority organized pursuant to N.J.S.A §40A:66-1 for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, NJPPA is in need of the services of an Executive Director and an office and clerical, bookkeeping, and other services in order to perform its functions efficiently; and

WHEREAS, Butler has the necessary facilities and personnel to support an Executive Director for the NJPPA and to offer employment to an individual qualified to serve as Executive Director of the NJPPA and has agreed to provide the services of an Executive Director to the NJPPA; and

WHEREAS, the parties wish to memorialize herein the terms and conditions of said agreement.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the Interlocal service agreement between the Borough of Butler and the New Jersey Public Power Authority for the services of an Executive Director subject to the terms and conditions of the agreement on file in the office of the Borough Clerk.

Adopted: March 7, 2017


Robert W. Alviene, Mayor

ATTEST:


Mary A. O'Keefe
Borough Clerk

Dated: March 7, 2017